

1 BUCHALTER NEMER
A Professional Corporation
2 MICHAEL L. MEEKS (SBN: 172000)
CAROL A. DWYER (SBN: 239769)
3 18400 Von Karman Avenue, Suite 800
Irvine, CA 92612-0514
4 Telephone: (949) 760-1121
Facsimile: (949) 720-0182
5 Email: mmEEKS@buchalter.com
cdwyer@buchalter.com

6 Attorneys for Defendant
7 GENE LINK, INC.

8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
11

12 TROLL BUSTERS© LLC,

13 Plaintiff,

14 vs.

15 ROCHE DIAGNOSTICS GMBH;
16 ROCHE MOLECULAR SYSTEMS
(RMS); ROCHE APPLIED
17 SCIENCES EUROGENTEC
NORTH AMERICA, INC.;
18 CLONTECH LABORATORIES,
INC.; INTEGRATED DNA
19 TECHNOLOGIES (IDT); LIFE
TECHNOLOGIES CORPORATION
20 QUIAGEN NV.; THERMO FISHER
SCIENTIFIC, INC.; GENE LINK,
21 INC.; GENSCRIPT USA, INC.;
EMD CHEMICALS INC.; TRILINK
22 BIOTECHNOLOGIES INC.; AND
CEPHIED,

23 Defendants.
24
25

Case No. 11CV0056 IEG (WVG)

**UNOPPOSED MOTION FOR
FURTHER EXTENSION OF TIME
FOR DEFENDANT GENE LINK,
INC. TO ANSWER OR
OTHERWISE RESPOND TO
COMPLAINT**

26 Pursuant to Local Rules 12.1 and 7.2, Defendant Gene Link, Inc. ("Gene
27 Link") moves the Court for an order extending the time for Gene Link to answer or
28 otherwise respond to the Complaint up to March 25, 2011.

1 The Court's docket indicates that 4 defendants are currently scheduled to file
2 their responsive pleadings on or before March 25. Counsel for Gene Link has
3 spoken with some of these defendants' counsel and determined that they intend to
4 file motions to dismiss raising many of the same issues that Gene Link intends to
5 raise in its motion to dismiss.

6 Gene Link's counsel intends to coordinate the hearing date on its motion with
7 those of the other defendants responding by March 25. In order for all of these
8 related motions to dismiss to be heard at the same time, for the convenience of the
9 Court and the parties, Gene Link requests an extension of time to March 25.

10 Gene Link's counsel met and conferred with plaintiff's counsel concerning
11 this motion. Plaintiff's counsel agreed not to oppose this motion.

12 DATED: March 4, 2011

BUCHALTER NEMER
A Professional Corporation

13
14
15 By: /s/ Carol A. Dwyer
16 MICHAEL L. MEEKS
17 CAROL A. DWYER
18 Attorneys for Defendant
19 GENE LINK, INC.
20
21
22
23
24
25
26
27
28

DECLARATION OF CAROL DWYER

I, Carol A. Dwyer, declare as follows:

1. I am an attorney at law licensed to practice before all the courts in the State of California and before this Court. I am an associate with the law firm of Buchalter Nemer, A Professional Corporation, counsel for Defendant Gene Link, Inc. ("Gene Link "). I make this declaration on my personal knowledge, except as to matters stated herein on information and belief, and as to those matters, I believe my information and belief to be true and correct. If called as a witness, I could and would competently testify to the matters contained herein.

2. The Court's docket indicates that 4 defendants are currently scheduled to file their responsive pleadings on or before March 25.

3. Counsel for Gene Link, Michael Meeks, has spoken with some of these defendants' counsel and determined that they intend to file motions to dismiss raising many of the same issues that Gene Link intends to raise in its motion to dismiss.

4. Gene Link's counsel intends to coordinate the hearing date on its motion with those of the other defendants responding by March 25. In order for all of these related motions to dismiss to be heard at the same time, for the convenience of the Court and the parties, Gene Link requests an extension of time to March 25.

5. Gene Link's counsel, Michael Meeks, met and conferred with plaintiff's counsel, Karl Rupp, concerning this motion. Mr. Rupp agreed not to oppose this motion for an order extending time for Gene Link to respond to the complaint.

///

///

///

///

///

1 I declare under penalty of perjury under the laws of the United States of
2 America that the foregoing is true and correct and that this Declaration was
3 executed on March 4, 2011 at Irvine, California.

4
5 /s/Carol A. Dwyer
6 CAROL A. DWYER
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28